

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>RENEISHA KNIGHT</b>	:	<b>CIVIL ACTION</b>
	:	
v.	:	
	:	<b>NO. 17-3118</b>
<b>MIDLAND CREDIT MANAGEMENT INC.</b>	:	
	:	

**ORDER**

**AND NOW**, this 8<sup>th</sup> day of November 2017, upon considering Defendant's Motion to dismiss the Second Amended Complaint (ECF Doc. No. 24), Plaintiff's Response (ECF Doc. No. 25) and for reasons in the accompanying Memorandum, it is **ORDERED** Defendant's Motion to dismiss (ECF Doc. No. 24) is **GRANTED** and the Second Amended Complaint is **DISMISSED without prejudice** for Plaintiff to attempt to plead a claim in a Third Amended Complaint consistent with Rule 11 and the accompanying Memorandum filed no later than **November 22, 2017**.<sup>1</sup>

  
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KEARNEY, J.

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<sup>1</sup> We allow leave for a third attempt to state a claim as the Second Amended Complaint raised a new theory for the first time, which we find does not state a claim as plead. We will close the case if Plaintiff elects not to timely amend.